

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see from PCT/ISA/210 (page 2)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/DE2004/001612

International filing date (day/month/year)
7/22/2004

Priority date (day/month/year)
10/17/2003

International Patent Classification (IPC) or both national classification and IPC
B60R21/01

Applicant

ROBERT BOSCH GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/
European Patent Office Berlin

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/DE2004/001612

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/DE2004/001612

Box No. II Priority

1. ☒ The following document has not yet been furnished:
- ☒ copy of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(a)).
- ☐ translation of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(b)).
- Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/DE2004/001612

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|-------------|-----|
| Novelty (N) | Claims | 4,5,6,7,8,9 | YES |
| | Claims | 1,2,3 | NO |
| Inventive step (IS) | Claims | 4,5,9 | YES |
| | Claims | 1,2,3,6,7,8 | NO |
| Industrial applicability (IA) | Claims | 1-10 | YES |
| | Claims | | NO |

2. Citations and explanations:

see supplementary page

WRITTEN ACTION
OF THE INTERNATIONAL
SEARCH AUTHORITY (SUPPLEMENT)

International File No.

PCT/DE2004/001612

Re: Section V.

1. In the present action, reference is made to the following document:
does not meet the requirements of Article 33(1) PCT, because the subject matter of Claim 1 la
D1 : WO 03/042007 A
2. The present application cks novelty under Article 33 (2) PCT.
 - 2.1 Document D1 discloses (the parenthetical references relate to this document):

A device for determining the instant a vehicle makes contact with an impact object (see D1, page 2, line 28 through page 3, line 2), the device being configured to determine the instant of contact by approximating a signal derived from an acceleration signal using a function (see D1, page 4, lines 13 through 17).
3. The dependent Claims 2,3,6,7,8 do not include any features which, when combined with the features of any claim to which they relate, satisfy the requirements of the PCT with regard to novelty and inventive step. The reasons for this are as follows:

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3.1 The technical feature of Claim 2

"... that the device for producing the signal integrates the acceleration signal once or twice" is disclosed in D1 (page 4, lines 4 through 11). Therefore, the subject matter of Claim 2 lacks novelty under Article 33(2) PCT.

3.2 The technical feature of Claim 3

"... that the device additionally takes an impact velocity into account when determining the instant of contact" is disclosed in D1 (page 4, lines 19 through 27). Therefore, the subject matter of Claim 3 lacks novelty under Article 33(2) PCT.